

## **REMARKS/ARGUMENTS**

### **Status of the Claims**

In the Office Action mailed February 3, 2005, claims 1-14 and 16-24 are pending. Claims 1-14 and 16-24 were rejected. This rejection is respectfully traversed. Claim 20 has been amended to correct a typographical error. No new matter has been added. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The Examiner is thanked for his interview with Applicants on May 16, 2005.

The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the following remarks.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for all the reasons discussed herein); (b) do not raise any new issues requiring further search and /or consideration; and (c) place the application in better form for appeal (if necessary). No new issues are raised as the amendments merely clarify and/or correct the claims. Accordingly, entry is proper under 37 CFR §1.116.

### **Claim Rejections 35 U.S.C. §103(a)**

#### **Claims 1-6, 8-13 and 16-24**

Examiner rejected claims 1-6, 8-13 and 16-24 under 35 U.S.C. §103(a) as being obvious over Frankovitch, Jr., *et al.* (hereinafter "Frankovitch") in view of Cannon, *et al.*, (hereinafter

“Canon”). This rejection is respectfully traversed. Claim 20 has been amended to correct a typographical error. No new matter has been added.

The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. *MPEP*§2142. To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation to modify the references or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art must teach all the claim limitations. *MPEP*§2142. In light of the following arguments, the combined references do not teach or suggest all of the claim limitations of the present invention. In accordance with the M.P.E.P. §2143.03, to establish a *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re: Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re: Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494 196 (CCPA 1970).

#### *Claim 1*

Frankovitch does not teach or suggest, *inter alia*, at least an oscilloscope with “the module including a computer program memory, the memory storing computer program instructions thereon to direct the processor to perform the steps of: collecting data representative of a signal from an external source; and displaying the data on the display,” as recited in claim 1. Rather, Frankovitch is directed to a measuring device that displays waveforms representative of electrical signals on a display. (Abstract). Frankovitch’s disclosed device is an oscilloscope. (Col. 5, lines 8-10). The oscilloscope includes a rotary snap to dial 14 with about 24 selectable positions, wherein each position corresponds to a particular test. (Col. 5, lines 34-45). The

technician only needs to select the desired test as indicated by the dial 14 and the oscilloscope 10 is then automatically configured to properly sense and display the signal (Col. 5, lines 60-64). The oscilloscope can act as a lab scope by communicating with a PC wherein the software on the PC controls the scope. (Col. 26, lines 5-30). In particular, Frankovitch states, “[p]ersonal computer (PC) based software suitable to be used with the scope through a serial interface ... control[s] the operation of the scope from the P.C.” (Col. 26, lines 23-31). Thus, Frankovitch has the software stored on the PC to control the scope/module instead of the software being stored on the module to control the PC.

Cannon does not cure the insufficiencies of Frankovitch because Cannon also does not teach or suggest, *inter alia*, “the module including a computer program memory, the memory storing computer program instructions thereon to direct the processor to perform the steps of: collecting data representative of a signal from an external source; and displaying the data on the display,” as recited in claim 1. Rather, Cannon is directed to a system that allows test tools to interface with a portable computer to relay data about a unit being tested. (Abstract). The test tool is a printed circuit card that receives and transmits data. (Abstract). “Such a system is capable of having different test tools coupled to the peripheral interface so that a user may utilize the tool interpreter in the portable computer to control the tool and receive data through the test tool.” (Col. 1, lines 66-Col. 2, line 2). Cannon also states, “[p]ortable computer... provide[s] a user with options or possible commands for controlling the test tool card 16.” (Col. 3, lines 33-36).

Therefore, Frankovitch, alone or in combination with Cannon, does not teach or suggest, at least, *inter alia*, “the module including a computer program memory, the memory storing computer program instructions thereon to direct the processor to perform the steps of: collecting

data representative of a signal from an external source; and displaying the data on the display,” as recited in claim 1. Accordingly, withdrawal of the rejection of these claims is respectfully requested.

Claims 2-7 depend directly or indirectly from independent claim 1 and are believed to be patentable at least by reason of their dependency. Accordingly, withdrawal of the rejection of these claims is respectfully requested.

*Claim 8*

It is also respectfully submitted that for the reasons discussed, Frankovitch, alone or in combination with Cannon does not teach or suggest, *inter alia*, at least a method of “delivering computer program instructions from the removable adapter module to the processor for the electronic device; collecting data representative of a signal from an external source; displaying, in response to the computer program instructions, the data on the display,” as recited in claim 8. Claims 9-14 depend directly or indirectly from independent claim 8 and are also believed to be patentable at least by reason of their dependency. Accordingly, withdrawal of the rejection of these claims is respectfully requested.

*Claim 20*

It is respectfully submitted that for the reasons previously discussed, Frankovitch, alone or in combination with Cannon does not teach or suggest, *inter alia*, at least a system that includes, “means for delivering computer program instructions from the removable adapter module to the processing means for the means for processing electronic signals; means for collecting data representative of a signal from an external source; and means for displaying, in

response to the computer program instructions, the data on the displaying means,” as recited in claim 20. Claims 16-19 and 21-24 depend directly or indirectly from independent claim 20 and are also believed to be patentable at least by reason of their dependency. Accordingly, withdrawal of the rejection of these claims is respectfully requested.

Claims 7 and 14

Claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Frankovitch and Cannon, and further in view of Alexander, *et al.* Because claim 7 depends from claim 1, and claim 14 depends from claim 8, which are believed to be in condition for allowance, claims 7 and 14 are also believed to be in condition for allowance, at least by reason of their dependency. Withdrawal of the rejection of claims 7 and 14 is respectfully requested.

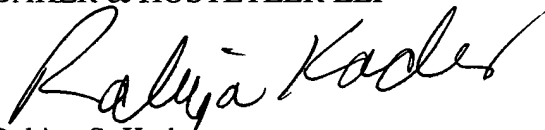
**CONCLUSION**

In view of the foregoing remarks, Applicants respectfully submit that this application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in even better condition for allowance, the Examiner is invited to contact the undersigned attorney at 202-861-1746 in an effort to resolve any matter still outstanding before issuing another action.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 87354.2681.

Respectfully submitted,

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